

REMARKS

Applicants appreciate the Examiner's thorough review of the present application, and respectfully request reconsideration in light of the preceding amendments and the following remarks.

Claims 1-2, 4-10, 12-15 and 17-26 are pending in the application. Claims 12-13, 17 and 22 have been cancelled without prejudice or disclaimer. Independent claims 1, 14 and 20 have been amended to include claims 13, 17, and 22, respectively. The independent claims and dependent claims 5, 15, 18, 21 and 23 have been further amended to improve claim language. New claims 24-26 readable on the elected invention/species have been added to provide Applicants with the scope of protection to which they are believed entitled. The amended/new claims find solid support in the original specification and drawings, e.g., FIG. 4 (at core 62 and top wall 54) and page 11, lines 10-14. No new matter has been introduced through the foregoing amendments.

The repeated rejections relying primarily on *Lovert* are noted. Although Applicants respectfully disagree with the Examiner's position for at least the reasons presented in the previous Amendment(s), further amendments have nevertheless been made by this paper to specifically avoid the reference. It should be noted that the above amendments have been made solely for the purpose of expediting prosecution and are not necessitated by the Examiner's rejections.

In particular, each of independent claims 1, 14 and 20 now recites, among other things, that the discharge containing portion comprises a top wall, a bottom wall, a side wall, and an absorbent core is directly bonded to the top wall around the aperture and upwardly spaced from the bottom wall. The closest prior art teaching appears to be *Ahlstrand* which discloses, however, that absorbent bodies 51 are disposed at the bottom wall of container 2, rather than being directly bonded to the top wall 21 and around the aperture 25 as presently claimed. This deficiency is not deemed curable by any of the cited and/or applied references. Accordingly, Applicants respectfully

submit that amended independent claims 1, 14 and 20 are patentable over the applied art of record.

The dependent claims are considered patentable at least for the reasons advanced with respect to the respective independent claims.

New dependent claims 24-26 are also patentable on their own merits since these claims recite other features neither disclosed, taught nor suggested by the applied art. In particular, none of the applied references appear to fairly teach or suggest the claimed liquid-impervious which is not elastically stretchable but formed with gathers thereby rendering the discharge containing portion enlargeable.

Each of the Examiner's rejections has been traversed/overcome. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

Serial No. 10/690,817

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

LOWE HAUPTMAN & BERNER, LLP

A handwritten signature in black ink, appearing to read 'Benjamin Hauptman', is written over the printed name and registration number.

Benjamin Hauptman
Registration No. 29,310

USPTO Customer No. 22429
1700 Diagonal Road, Suite 310
Alexandria, VA 22314
(703) 684-1111
(703) 518-5499 Facsimile
Date: August 9, 2007
BJH/KL/mps